



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA E-MAIL &
UPS OVERNIGHT DELIVERY

August 3, 2011

Ms. Ellen J. Kullman
Chief Executive Officer
E. I. du Pont de Nemours and Company
1007 Market Street
Wilmington, DE 19898

Dear Ms. Kullman:

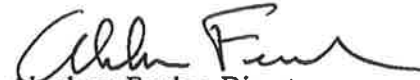
The United States Environmental Protection Agency, Region III ("EPA"), has reason to believe that E. I. du Pont de Nemours and Company ("DuPont") has ownership, control or custody of a registered pesticide product that may be misbranded in violation of the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §§ 136 *et seq.* ("FIFRA"). Specifically, EPA has reason to believe, based on DuPont's own test data and information gathered during EPA and state investigations, that the directions for use and/or warning or caution statements on the DuPont Imprelis Herbicide (EPA Reg. No. 352-793) ("Imprelis") labeling are inadequate to protect non-target plant species, including certain species of trees, making DuPont's Imprelis product misbranded under sections 2(q)(1)(F) and/or (G) of FIFRA. In addition, based on DuPont's representations, EPA understands that DuPont and its distributors and customers currently have in their possession, custody, and control inventory of Dupont's Imprelis product.

Please be aware that it is a violation of FIFRA to distribute or sell any pesticide which is misbranded pursuant to section 12(a)(1)(E) of FIFRA. EPA is considering its enforcement options regarding this matter, including: 1) issuance of a stop sale, use, or removal order ("SSURO") pursuant to section 13(a) of FIFRA and 2) assessment of civil penalties.

EPA encourages DuPont to confer with EPA in an informal conference within the next four (4) business days to show cause why the issuance of a SSURO is not appropriate. To do so, please contact Harry Daw, Associate Director, Land and Chemicals Division, Office of Toxics and Pesticides, by telephone at (215) 814-3244 or by e-mail at daw.harry@epa.gov.

For any legal-related questions, please contact Janet E. Sharke, Senior Assistant Regional Counsel, by telephone at (215) 814-2689 or by e-mail at sharke.janet@epa.gov.

Sincerely,



Abraham Ferdas, Director
Land and Chemicals Division

cc: K. Sherman, Esq.
W. Lehrenbaum, Esq.

